

SENATE BILL No. 344

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-4.

Synopsis: Release of criminal intelligence information. Permits criminal intelligence information to be released to a noncriminal justice agency if: (1) the person releasing the information reasonably believes that its release is necessary to prevent or to mitigate the effects of a criminal act, including a terrorist act; or (2) the noncriminal justice agency is responsible for developing a strategy to prevent or respond to terrorism.

Effective: July 1, 2007.

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January 11, 2007, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE BILL No. 344

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-2-4-6 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2007]: Sec. 6. Criminal intelligence information
3 is hereby declared confidential and may be disseminated only to
4 ~~another criminal justice agency; in accordance with section 7 of this~~
5 **chapter**, and only if the agency making the dissemination is satisfied
6 that the need to know and intended uses of the information are
7 reasonable and that the confidentiality of the information will be
8 maintained.

9 SECTION 2. IC 5-2-4-7 IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2007]: Sec. 7. **(a) Except as provided in**
11 **subsection (b) or (c)**, a person who knowingly releases criminal
12 intelligence information to an agency or person other than a criminal
13 justice agency commits a Class A misdemeanor.

14 **(b) A person may release criminal intelligence information to an**
15 **agency or person other than a criminal justice agency if the person**
16 **reasonably believes that release of the information is necessary to:**
17 **(1) prevent; or**

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- 1 (2) mitigate the effects of;
2 a criminal act, including a terrorist act.
3 (c) Unless disclosure is prohibited by 28 CFR Part 23, a person
4 may release criminal intelligence information to a noncriminal
5 justice agency responsible for developing a strategy to prevent and
6 respond to terrorism.

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